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31. (Amended) The doll of claim 26, wherein the predetermined response includes a pre-recorded speech emitted by a speaker coupled to the doll.

32. (Amended) The doll of claim 26, also comprising a motor driven rotatable head operatively attached to a motor coupled to the power assembly, wherein the predetermined response includes rotation of the head.

33. (Amended) The doll of claim 26, also comprising an eye assembly having motor driven moveable eyelids operatively attached to a motor coupled to the power assembly, wherein the predetermined response includes movement of the eyelids.

REMARKS

Reconsideration of the Office action dated July 11, 2002, is requested in view of the preceding amendments and the following remarks. Prior to the entry of this amendment, claims 1-33 were pending. Claims 2-3, 21-23 and 31-33 are rejected under 35 U.S.C. § 112. Similarly, claims 1-6, 18-19 and 21-25 are rejected under 35 U.S.C. § 102(b) as being anticipated by Terzian et al. (U.S. Patent No. 4,799,678) and claims 7-9 and 11-16 are rejected under 35 U.S.C. § 102(b) as being anticipated by Leyden (U.S. Patent No. 4,843,497), while claims 26-28 and 31 are rejected under 35 U.S.C. § 102(b) as being anticipated by Weiner (U.S. Patent No. 4,820,233). Further, claims 10, 17, 20, 26, 29-30 and 32-33 are rejected under 35 U.S.C. § 103(a) in view of different combinations of references. In response, applicant has cancelled claims 7-17 without prejudice.

Additionally, in light of the informalities identified by the Examiner, applicant has amended claims 2-3, 21-23 and 31-33 to correct such informalities. Specifically, applicant has amended claims 2-3 and 23 to clarify the phrase "physically turned" to the

Examiner's suggestion of "physically turned by an external force." Applicant further amends claims 3 and 21 to clarify that the head position assembly, and parts therein, are interposed between the head and the base/body. Applicant has also amended claims 31-33 such that they depend from claim 26.

Applicant has also corrected a typographical error in paragraph 22. Specifically, applicant has amended the reference indicator "202" to "102" indicating the vertical or upright axis that extends lengthwise through the doll.

The Examiner has rejected claims 1-6, 18-19 and 21-25 under 35 U.S.C. § 102(b) as being anticipated by Terzian et al. As described by the Examiner, Terzian discloses an interactive doll including a motor operatively connected to a rotatable head. However, applicant respectfully disagrees with the Examiner that Terzian discloses a "position monitoring structure attached to the head." The "position monitoring structure," identified by the Examiner, is located within the torso portion of the Terzian doll. Applicant respectfully disagrees that the connection of such structure through "gear/component and shaft assemblies" attaches the structure to the head. Nevertheless, the applicant has clarified the location of the position monitoring structure by amending claim 1 to state that "the position monitoring structure is positioned within the head."

Applicant further notes that the structure identified in Terzian as the "position monitoring structure" only operates to open limit switch 125 when the head is driven to its leftmost position. Specifically, Terzian discloses a lever 154 configured to engage limit switch blade 124 when the head is driven to its leftmost position. Lever 154 is configured to move limit switch blade 124 out of engagement with blade 125 to open limit switch 126. (col. 7, lines 5-11). Thus, the Terzian structure only operates when the

head is in the leftmost position, and such a structure does not monitor “a plurality of predetermined head positions” as recited in amended claim 1. Therefore, in view of the amendments, applicant respectfully requests the withdrawal of the rejection of claim 1. Each of the dependent claims 2-6 further defines the invention of claim 1 and depends from claim 1. Each of these dependent claims should at least be allowable for the reasons described above in relation to claim 1.

Applicant has further amended claim 18 to recite “a base shaped to resemble feet configured to disguise a power source.” The Terzian reference does not disclose a base configured to disguise a power source, where the base is shaped to resemble feet. Thus, applicant respectfully requests the withdrawal of the rejection of claim 18. Each of the dependent claims 19-25 further defines the invention of claim 18 and depends from claim 18. Therefore, each of these dependent claims should at least be allowable for the reasons described above in relation to claim 18.

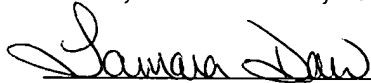
The Examiner also rejected claims 26-28 and 31 under 35 U.S.C. § 102(b) as being anticipated by Weiner. However, these claims recite “a processor operatively coupled to the communications port in the doll and adapted to identify and select at least one predetermined response associated with an attached component.” The doll disclosed in Weiner includes “the sound producing unit and all the elements necessary for reproducing the sounds except for the recorded digital data representing the sound to be produced by the doll.” (col. 6, lines 4-8). Thus, unlike applicant’s doll, where the external components signal a predetermined response within the doll to be played, the Weiner units are attachable read-only memory units that contain the data to be played. The Weiner processor does not identify, nor select, a predetermined response. Instead,

the Weiner processor simply plays the data, and/or operates, in accordance to the data contained on the read-only memory unit. Therefore, applicant respectfully requests reconsideration of the rejection of claim 26. Each of the dependent claims 27-33 further defines the invention of claim 26 and depends from claim 26. Each of these dependent claims should at least be allowable for the reasons described above in relation to claim 26.

The above amendments and remarks are believed to fully address the Examiner's rejections, and to place the entire application in condition for allowance. A prompt indication of the same is respectfully requested. As required by 37 C.F.R. § 1.121, applicant has provided a separate marked-up version of the amended specification. The Examiner is encouraged to telephone the undersigned if any issues remain that may be resolved by a telephonic interview.

CERTIFICATE OF MAILING

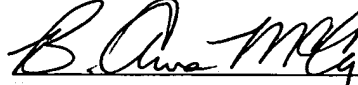
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on October 11, 2002.



Tamara Daw

Date of Signature: October 11, 2002

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

[0022] Referring back to Fig. 1, one animated feature of doll 10 is controlled rotational motion of head 12, as indicated by arrow 100. By controlling the motion of head 12, doll 10 takes on a more life-like appearance. Head 12 is moveable about a vertical or upright axis 102 that extends lengthwise through doll 10. Head 12 is moveable about axis [202] 102 between at least two positions. For example, head 12 in Fig. 1 is moveable between three predetermined positions, including a right-facing position A, a center position or intermediate position B, and a left-facing position C.

In the Claims:

Please cancel claim 7-17 without prejudice.

Please amend the claims as follows:

1. (Amended) An interactive doll with an animated head and a base, the doll comprising:

a motor operatively connected to the head, the head rotatable relative to the base through a plurality of predetermined head positions including a first head position;

a head position assembly interposed between the head and the base, the head position assembly having a contact surface; and

a position monitoring structure attached to the head configured to monitor the plurality of predetermined head positions, wherein the position monitoring structure is positioned within the head such that the contact surface of the head position assembly triggers the position monitoring structure when the head is in the first head position.

2. (Amended) The doll of claim 1, wherein the head position assembly comprises a safety mechanism adapted to permit the head to be physically turned by an external force.

3. (Amended) The doll of claim 1, wherein the head position assembly comprises:

a lower wafer interposed between the head and the base adapted to follow the rotation of the head when the head is physically turned by an external force from an operational position;

an upper wafer releasably coupled to the lower wafer and adapted to remain aligned with the base when the head is physically turned by an external force from the operational position; and

a biasing structure interposed between the lower wafer and upper wafer wherein the biasing structure is adapted to bias the head back to the operational position after being physically turned by the external force.

4. (Amended) The doll of claim 1, wherein the head position assembly comprises a stopping surface which is adapted to contact a stop on the head to prevent the head from being physically turned by an external force beyond the plurality of positions.

18. (Amended) An animated doll comprising:

a base shaped to resemble feet configured to disguise a power source;

a body mounted on the base having a size that is not in proportion to the base; and

a motor driven head rotatably mounted on the body configured to disguise a motor assembly which is operatively connected to the power source and the head and having a size that is not in proportion to the body size.

21. (Amended) The doll of claim 18, also comprising a head position assembly interposed between the head and the body wherein the head rotates about the head position assembly and the head position assembly remains generally stationary in relation to the body when in an operation position.

23. (Amended) The doll of claim 21, wherein the head position assembly includes a biasing structure adapted to permit the head to be physically turned by an external force beyond the operation position and to bias the head back to the operation position.

31. (Amended) The doll of claim [25] 26, wherein the predetermined response includes a pre-recorded speech emitted by a speaker coupled to the doll.

32. (Amended) The doll of claim [25] 26, also comprising a motor driven rotatable head operatively attached to a motor coupled to the power assembly, wherein the predetermined response includes rotation of the head.

33. (Amended) The doll of claim [25] 26, also comprising an eye assembly having motor driven moveable eyelids operatively attached to a motor coupled to the power assembly, wherein the predetermined response includes movement of the eyelids.